



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 04-183 (400/147))

PATENT

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In the Application of:

McSwiggen et al.

Examiner: TBD

Serial No.: 10/798,090

Group Art Unit: 1636

Filing Date: March 11, 2004

Confirmation No.: 6030

For: RNA Interference Mediated Inhibition of  
Muscarinic Cholinergic Receptor Gene  
Expression Using Short Interfering  
Nucleic Acid (siNA)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- Supplemental Information Disclosure Statement;
- Supplemental Information Disclosure Statement (IDS) PTO-1449 Form;
- Copies of IDS Citations for S/N 10/798,090 (Total 12 foreign patents and 3 other documents); and
- Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on July 6 2005.

By:

Anita J. Terpstra  
Reg. No. 47,132



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. This application is a continuation-in-part of U.S. Patent Application No. 10/757,803, filed January 14, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/720,448, filed November 24, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/693,059, filed October 23, 2003, which is a continuation-in-part of U.S. Patent Application No. 10/444,853, filed May 23, 2003, which is a continuation-in-part of International Patent Application No. PCT/US03/05346, filed February 20, 2003, and a continuation-in-part of International Patent Application No. PCT/US03/05028, filed February 20, 2003, both of which claim the benefit of U.S. Provisional Application No. 60/358,580 filed February 20, 2002, U.S. Provisional Application No. 60/363,124 filed March 11, 2002, U.S. Provisional Application No. 60/386,782 filed June 6, 2002, U.S. Provisional Application No. 60/406,784 filed August 29, 2002, U.S.

Provisional Application No. 60/408,378 filed September 5, 2002, U.S. Provisional Application No. 60/409,293 filed September 9, 2002, and U.S. Provisional Application No. 60/440,129 filed January 15, 2003. This application is also a continuation-in-part of US Patent Application No. 10/427,160, filed April 30, 2003 and International Patent Application No. PCT/US02/15876 filed May 17, 2002. In accordance with Rule 37 CFR §1.98(d), those references marked with an “\*” have been previously cited and submitted to the Patent and Trademark Office with the prior applications and additional references are enclosed herein. All references cited are also listed in the PTO-1449 form enclosed herewith.

The Office has amended the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications. See 69 Fed. Reg. 56481. In accordance with this amendment, cited U.S. patents and U.S. patent application publications are not enclosed.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Date: July 6

2005 By:

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff LLP**  
  
Anita J. Terpstra  
Reg. No. 47,132

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive, 32<sup>nd</sup> Floor  
Chicago, IL 60606  
Telephone: 312-913-0001  
Facsimile: 312-913-0002

**FORM PTO-1449**  
(Rev. 2-32)

**U.S. Department of Commerce  
Patent and Trademark Office**

**Atty. Docket No.**

04-183  
(400/147)

**Serial No.**

10/798,090

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use several sheets if necessary)



**Applicant:**

McSwiggen et al.

**Filing Date:**

March 11, 2004

**Group:**

1636

**U.S. PATENT APPLICATION DOCUMENTS**

Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
	*	US 2003/0190635	10/2003	McSwiggen et al.			
	*	US 2003/0206887	11/2003	Morrissey et al.			

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	1.	1325955	07/09/03	EP (Klippel-Giese et al.)				
	2.	08208687	08/1996	JP (Hotoda et al.)				
	3.	95/04142	02/09/95	WO (Robinson)				
	4.	01/097850	12/27/01	WO (Siemeister et al.)				
	5.	02/07747	01/31/02	WO (King)				
	6.	02/10378	02/07/02	WO (Cowsert et al.)				
	7.	02/096927	12/05/02	WO (Escobdeo et al.)				
	8.	03/068797	08/21/03	WO (Rossi et al.)				
	9.	03/070910	08/28/03	WO (McSwiggen et al.)				

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 04-183 (400/147)	Serial No. 10/798,090
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			
(Use several sheets if necessary)			
<b>Applicant:</b> McSwiggen et al.			
<b>Filing Date:</b> March 11, 2004		<b>Group:</b> 1636	

	10.	03/080638	10/02/03	WO (Lacasse et al.)				
	11.	04/043977	05/27/04	WO (Prakush et al.)				
	12.	04/072261	08/26/04	WO (Li et al.)				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).**

	13.	Anderson et al., "Bispecific Short Hairpin siRNA Constructs Targeted to CD4, CXCR4, and CCR5 Confer HIV-1 Resistance," <i>Oligonucleotides</i> , 13:303-312 (2003)
	14.	Bayard et al., "Increased stability and antiviral activity of 2'-O-phosphoglyceryl derivatives of (2'-5')oligo(adenylate)," <i>Eur. J. Biochem.</i> , 142(29):291-298 (1984)
	15.	International Search Report for PCT/US2004/016390 mailed March 31, 2005

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.